



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 19, 1996

Mr. Robert J. Gervais
Assistant City Attorney
City of Galveston Legal Department
P.O. Box 779
Galveston, Texas 77553-0779

OR96-1486

Dear Mr. Gervais:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101122.

The City of Galveston (the "city") received an open records request from an individual incarcerated in a correctional facility. You ask whether the request may be denied pursuant to section 552.027 of the Government Code.

Section 552.027 provides:

(a) A governmental body is not required to accept or comply with a request for information from an individual who is imprisoned or confined in a correctional facility.

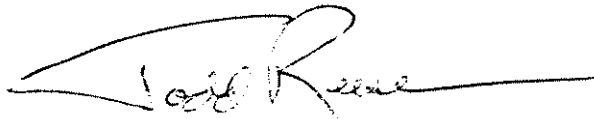
(b) Subsection (a) does not prohibit a governmental body from disclosing to an individual described by that subsection information held by the governmental body pertaining to that individual.

(c) In this section, "correctional facility" has the meaning assigned by Section 1.07(a), Penal Code.

The requestor is an inmate of the Huntsville State Prison. As the individual requesting the information at issue is "an individual who is imprisoned or confined in a correctional facility," the request is subject to section 552.027 of the Government Code. Thus, section 552.027 gives you the discretion to either "comply with" this open records request or deny it in its entirety.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd Reese", with a long horizontal line extending to the right.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/rho

Ref.: ID# 101122

Enclosures: Submitted documents

cc: Mr. Gregory Jerome Day
TDJC No. 635963
Estelle Unit
Huntsville, Texas 77340
(w/o enclosures)